New Orleans States-Item NOV 1 5 1972

Personal Property Seized

Oswald Widow Sues U.S.

Another bid by Lee Harvey Oswald's widow to obtain $500,000 compensation for seized property of the accused assassin of President Kennedy was scheduled here this afternoon.

The U.S. Fifth Circuit Court of Appeals was to hear an appeal by Marina N. Oswald Porter and her husband, Kenneth Porter, from the U.S. District Court, Northern District of Texas.

The Texas court awarded Mrs. Porter $3,000 as the value of about 500 seized articles.

The U.S. Government took Oswald's personal property for the Warren Commission to use in its investigation of the assassination.

Congress passed a special act to preserve the items permanently so the evidence cannot be lost, destroyed or altered.

The property mostly comprises personal effects such as letters, the diary he kept in Russia, family photographs, his marriage license and other documents.

In her suit, Mrs. Porter claims the government reduced the value of the property by damaging it and by the publication in the Warren report of the diary and other documents, decreasing their literary value.

In the brief filed by her attorney, she claims the lower court's ruling is the "second time" the government has "accused, tried and convicted Lee Harvey Oswald of a crime without evidence."

"In this instance, however," the brief states, "they have gone even further and are attempting to visit the assumed (and judicially unproven) 'sins of the father' upon his widow and children."

The brief states that the appellants "find themselves met at every turn by arguments and assumptions that most closely resemble the archaic doctrine of 'Corruption of Blood.' "

Mrs. Porter claims that her husband was "neither an assassin, a murderer, a criminal, nor a wrongdoer of any kind" and that the Warren Commission was "nothing more or less than another agency or arm of the appellee (U.S. Government) itself."

She maintains items taken by the government increased in value, similar to increasing market value of collectors' items.

The items do not include the rifle used in the assassination.